HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.2617 OF 2004.

Raghavendra S. Desai. ..Petitioner.

Versus.

Shrikant M. Patil & Anr. ..Respondents.

Mr. Milind S. Gyani for the petitioner.
Mr. A. S. Shintole for the respondents.

CORAM: V.M.KANADE,J.
DATE: FEBRUARY 21, 2005.

P.C.

1. Heard learned counsel for the petitioner. The petitioner is challenging the issuance of process by the J.M.F.C., Chandgad, District Kolhapur on the ground that in the course of evidence the respondent has stated that the vehicle - Tata Sumo which was purchased by the petitioner does not stand in his name. It is submitted that the cheque which was issued was not on account of any existing liability. I am unable to accept this submission. The trial has almost concluded and only the statement of the accused under section 313 of the Cr.P.C. has to be recorded. Thereafter, the accused can adduce his own evidence, if so advised. I do not see any reason to interfere with the order passed by the trial court. The petition is, therefore, rejected. However, the trial is expedited.

(V.M.KANADE, J.)

:srp/2005/